

Serial No.: 09/724,425
Filed: 11/28/00
Group Art Unit: 1635

EXPRESS MAIL CERTIFICATE

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Docket No.: 04040/1200990-US7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John C. REED

Serial No.: 09/724,425 Art Unit: 1635
Confirmation No.: 7441 Examiner: Jane J. Zara
Filed: November 28, 2000
For: REGULATION OF BCL-2 GENE EXPRESSION

TERMINAL DISCLAIMER
TO OBVIATE A DOUBLE PATENTING REJECTION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned is an attorney of record in the above-identified patent application and
THE UNIVERSITY OF PENNSYLVANIA, located at 3700 Market Street, Ste. 200,

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Philadelphia, PA 19104, is the owner of the entire right, title, and interest in the above-identified patent application by assignment from the inventors.

The assignment document is dated October 28, 1993 and was recorded by the U.S. Patent and Trademark Office on November 9, 1993, at Reel 6835, Frame 0295 (copy attached as Exhibit 1).

THE UNIVERSITY OF PENNSYLVANIA hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of commonly owned U.S. Patent No. 6,040,181 (assignment recorded by the U.S. Patent and Trademark Office on November 9, 1993, at Reel 6835, Frame 0295; same as above) and hereby agrees that the granted patent shall be enforceable only during such period that the legal title to said granted patent shall be the same as the legal title to any U.S. Patent granted on the above-identified patent application. This agreement shall run with any patent granted on the above-identified application and be binding upon the grantee, its successors and assigns.

The statutory fee of \$55.00 for a disclaimer is enclosed.

THE UNIVERSITY OF PENNSYLVANIA does not disclaim any terminal part of any patent granted on the above-identified U.S. patent application prior to the expiration date of the full statutory term of U.S. Patent No. 6,040,181, in the event that U.S. Patent No. 6,040,181 later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), or

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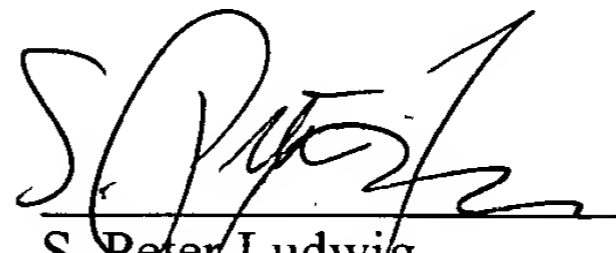
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- has all claims canceled by a reexamination certificate.

Dated: March 18, 2004

DARBY & DARBY, P.C.
805 Third Avenue
New York, N.Y. 10022
Phone (212) 527-7700
IEV:

Respectfully submitted,


S. Peter Ludwig
Reg. No. 25,351
Attorney for Applicant(s)